

Serial No. 10/525,123
Atty. Doc. No. 2002P06371WOUS

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REMARKS

Claims 10, 12, 14, 18, 25-27 have been amended. Claims 11, 13, 15-17, 19-24, 28-29 have been canceled. New claims 30-39 have been added. Thus, claims 10, 12, 14, 18, 25-27, 30-39 are presented for examination. Applicant respectfully requests allowance of the present application in view of the foregoing amendments and the following remarks.

Response to Rejections Under Section 112:

Claims 10, 18, and 26-29 have been rejected for using the term "and/or". Applicants have removed this term and respectfully request the Examiner to withdraw the 112 rejections.

Response to Rejections Under Section 102:

Claims 10-20 stand rejected under 35 U.S.C. 102 the Examiner contending that these claims are anticipated by Baratti et al (GB 2,346,989).

Applicants claim 10 recites "the communication component *running a software...* *transferring a copy of the software* from the communication component running the software to the second communication component". Applicants are unsure if the Examiner considers Baratti's PC or license server as Applicants' communication component running a software.

If the Examiner considers Baratti's license server as Applicants' communication component running a software, *assuming arguendo* that Barratti's license server is running some sort of software, Baratti does not teach or suggest transferring a copy of the *software running on the license server* from the license server to the second communication component. In contrast, Baratti teaches the second communication component has the software installed thereon (see e.g. BG 2,346,989 page 3 lines 20-23) and the license server license server grants or denies the second communication component *permission to run a given software* (see e.g. BG 2,346,989 page 1 lines 30-35). The license server does not transfer a copy of the software let alone a copy of the software running on the license server to the second communication component. Therefore, Barrati's license server cannot be reasonably considered as Applicants' communication component running the software.

If, however, the Examiner considers Baratti's PC as Applicants' communication component running a software, Applicants submit that Baratti teaches the communication

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component has the software installed thereon (see e.g. BG 2,346,989 page 3 lines 20-23). Once Barratti's license server authorizes the PC to run the software, Barratti does not teach or suggest that the PC transfers a copy of the software running in the PC to the license server. Therefore, Barrati's PC cannot be reasonably considered as Applicants' communication component running the software.

For the forgoing reasons applicants respectfully submit that claim 10 is patentable. Dependent claims 18, and 26-29 are also patentable at least from their dependency from claim 10 as well as based on their own merit.

Response to Rejections Under Section 103:

Claims 21-29 stand rejected under 35 U.S.C 103(a) as being anticipated by Baratti in view of Okamoto (USPN 2002/0143801). For at least the reason discussed in connection with the Section 102 rejections, Applicants respectfully request the withdrawal of the 103 rejections.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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